G. R. S. 59] GJB—15,000—20 12 13

GENERAL AND REVENUE SECRETARIAT.

191

(= Prisons Opts)

File No. 54 of 1899-00

Serial Nos. 1 - 2

~~Papers~~ Filed.

B

Month August 00.

SUBJECT.

Memorial addressed to Her Highness the Maharani Regent, by the 2nd accused Krishna Bayee in Mysore Sessions Case no 15 of 1899-00

PREVIOUS REFERENCES.	LATER REFERENCES.

Dy No 11444

No 6667 In: 3 cuts 267 two leaves

SECTION Prisons & Jails 4+207

FILE No. Bangalore, 25th ... 1900.

SERIAL No. 1

From

The Registrar of the

Chief Court of Mysore.

To

The Secretary to the Government of Mysore,

Revenue and General Departments.

Sir,

I am directed to forward, for disposal, the accompanying Memorial, addressed to Her Highness Maharani-Regent by prisoner Krishna Bose, 2nd accused in Mysore Sessions case No. 1 of 1899-1900 on the file of the Sessions Judge of Ashtagram Division and Appellant in Criminal Appeal No. 122 of 1899-1900 on the file of this Court.

2. The entire records in the said two cases are herewith sent for reference, to be obligingly returned when no longer required.

I have the honor to be,

Sir,

Your most obedient servant

Registrar.

To Her Highness the Maharani
Regent.

Crim^l Appeal No: 122 of 1899-900
on the file of the Chief Court of
Mysore.

Memorial submitted by Krishna Bayi - prisoner No: 4822 undergoing imprisonment in the ~~Central~~ Mysore Jail - is as follows: —

One Keshava Row has been bearing me a grudge, ever since I have matured. So he got my husband intoxicated, cut off his penis, and reported to the Police that it was I who did so.

I most humbly pray that

that Your Highness may consider the whether I would bear ill-will against my husband and commit such an act; that the record connected with the case be sent for and perused, and my release ordered

Mark of Krishna Bayi

D/. 25-4-900.

'Certified'
Sd/ C. J. Hitson.
Jailor,
Mysore Jail

Sd/
Jailor

Signed before me.

Gaoler

Mysore gaol.

Signed before me.

M Dobson

gaoler

Mysore gaol.

In the Chief Court of Mysore at Bangalore

Monday the 26th day of February 1900

Present

The Justice J. M. Best, Chief Judge,

and

Mr. Justice G. Narahari Rao, Judge

Petitions of Criminal appeals Nos 121 and 122 of 1899-1900, against the Conviction and sentence by the Sessions Judge, Ashtagram Division, under sections 326 and 324 of the Indian Penal Code, in Mysore Session Case No. 15 of 1899-1900

Appellants

In appeal No 121 of 99-00 Subba Row (1st accused)
In appeal No 122 of 99-00 Krishna Rayar (2nd accused)

Judgment

The appellants have been found guilty of voluntarily causing grievous hurt to one Lingoji

and sentenced to be rigorously imprisoned for 10 and 7 years respectively.

Appellant No. 121, Subba Rao, is the husband of the sister of appellant No. 122, Krishna Bayi, who is the wife of the complainant Lingaji to whom the grievous hurt is proved to have been committed by cutting off his penis.

The complaint was against the two appellants and three others - including a sister and the mother of ~~appellant No. 122. But the Judge~~ has acquitted the other three and found the two appellants guilty of the offence.

As

It has been observed by the Sessions Judge, the Complainant's evidence is not free from discrepancies which extend even to the day on which the outrage is alleged to have been committed he stating at one time that it was on Monday night, and at another that it was on Tuesday. The latter seems more probable, and as in accordance with the evidence of 2d Witness Chikkamma; and such also appears to have been the statement as originally made by the Complainant to the Police

Evidently the Complainant was not a person acceptable either to his wife or to the people of

of his house, and the evidence
seems to show that Complainant
was treated as if he was insane
and brow-beaten on Monday night.
but the amputation of the penis
took place apparently on the
following night, or rather at
about 4 a m of Wednesday
as stated by Chukanna -

There seems to be no
room for doubt as to the per-
petrator of this outrage being
the appellant Subba Rao. It
is proved that he was seen
with his hands covered with
blood and explained that this
was due to his having wiped
a boil that had burst on Com
plainant's back. Whereas the

Medical

medical evidence shows that there was no trace of any such blood having existed

The Complainants object in throwing back the occurrence to Monday night may have been to implicate in the more serious offence all those who took part in tying and branding him on the Monday night.

It appears that there was intimacy between the two Appellants and the evidence shows that the Appellant No 122 aided and abetted her brother-in-law in the Commission of the offence on her

her husband.

The sentences are not too severe

Both the appeals are dismissed.

R. 20.4.00

Prepare Memorial.
WJT

Copy
Registrar.

Rec.

OFFICE OF THE GOVERNMENT OF MYSORE.

Dated Bangalore, 21st August 1904.

FILE No.

SERIAL No. 2

Gen'l Rev. Depts.

From

The ~~General~~ Secretary to the Government of Mysore,

To

The Registrar of the Chief Court of Mysore.

Sir.

I am directed to forward herewith for information of the Judges of the Chief Court and for communication to the prisoner Krishna Bayi undergoing sentence of Seven years rigorous imprisonment in the Mysore Jail, copy of order passed by H. H. the Maharani Regent of Mysore, on the prisoner's memorial.

2. The entire records received with your letter No. 6447-217, dated the 25th May 1904 are herewith returned.

I have the honor to be,

Sir,

Your most obedient servant,

~~General~~ Secretary.

13669

Submitted to His Highness
the Maha Rani Regent
for approval
Submitted
Dt. 17.8.1900 AM

17 Aug 1900

Approved
KVS
10-8-00

In the Matter of a Memorial from
Krishna Raju v. Emperor in Criminal Case No. 15-
of 1899-1900 and the file of the Court of Sessions
Nellagaram Division and Appellant in Criminal
Appeal No 122 of 1899-1900 on the file of the
High Court of Madras, stating that she was minor
- ent of the offence of which Grievous Hurt under
Sections 326 & 324 I.P.C. for which she was convicted
and praying that the sentence of seven years'
rigorous imprisonment passed upon her be set aside

Her Highness the Maharani-Regent

13733.
Issue
AM 20/8/1900

has been pleased to pass the following

Order.

There are no grounds for
any interference with the conviction and
sentence passed upon the Memorialist
by the Sessions Court and confirmed
in appeal by the High Court. The
Memorial is accordingly rejected

AM
17.8.1900

1. No. of Case.

Prisoner. Krishna Bayi

Criminal Case No. 212 of 1899 1900

on the file of the City ~~Class~~ Magistrate

~~of Mysore~~

2. Court or Courts which tried it.

~~Mysore~~ Sessions Case No. 15 of 1899 ~~of 1900~~ and Criminal ~~Appeal~~ Case No. 122 of 1899 ~~of 1900~~ on the file of the Chief Court ~~City Class~~ Magistrate's Court, Mysore. District and the Sessions Court of the ~~Ashtagram~~ Division.

3. Nature of sentence originally passed and confirmed or altered in appeal.

Sentenced to ~~suffer rigorous imprisonment for 7 years by the District Court & the above term of sentence was confirmed by the Chief Court on appeal~~

4. Date of sentence.

~~12th January~~ 1900.

There was no evidence against the accused ... Criminal ... the ... accused ... and his wife ... the ... Accused (... The ... a ... Court 17 ... in ...

wife of complainant
Lucy Ann. The evidence
was proved further
proves that the accused
left the complainant's
house [illegible]
with [illegible]
(Memorandum) was
Mentioned at the Commission
of the offence [illegible]
& detailed him therein.
Before the Jefferson Court
& the Chief Clerk. Name
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

36/57 D

This is one of the
papers sent from D. H-o.
The day — There is no direct rebuttal
[illegible] The statement of the Complainant
evidence, to show that the
memorandum, tho' first at
the time of the Commission
of the offence, took
any active part in aiding
and abetting the Prisoner.
Besides the memorandum there
were 3 others who were
actually present then — They

have all been acquitted.
The only circumstance upon
the memorial (the 2 cases)
is that there was
Command in which
he took part — that
I appear, the Supreme
Court and two Judges
of Chancery attended
believes the evidence
of Complainant as to
the conduct of Mem[t]
H' her Lady — This
is not a fit case
for Exemplary & punitive
damages — I w[d] humbly
recommend the Updates
the Madras Rain Report
beyond the Memorial

R. Thumboo Chetty

17-8-190 Offg Dewan